

**UNITED STATES DISTRICT COURT
IN THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,
Plaintiff,

Case No. 21-cr-20046

vs.

JERELL L. WHITMAN-CRUTCHER, II
Defendant.

Hon. Denise Page Hood

_____/

Alyse Wu
Assistant United States Attorney
Attorney for Plaintiff
211 W. Fort Street, Suite 2001
Detroit, MI 48226
Phone: (313) 226-9589

Linda D. Ashford, P.C.
By: Linda D. Ashford (P 29303)
Attorney for Defendant
615 Griswold, Suite 700
Detroit, MI 48226
Phone: (313) 525-0327

_____/

MOTION TO WITHDRAW AS COUNSEL

Linda D. Ashford, counsel for defendant Jerell Whitman-Crutcher, states the following in support of her motion to withdraw as counsel:

1. Following the filing of a criminal complaint on January 13, 2021, a grand jury indicted Jerell Whitman-Crutcher on January 27, 2021 as follows: **Count two** Possession with Intent to Distribute 500 grams or more of a mixture or substance

containing a detectable amount of Methamphetamine, Aiding and Abetting, contrary to 21 U.S.C. §§ 841 (a)(1), (b)(1)(A)(i) and 18 U.S.C. § 2; **Count four:** Possession with Intent to Distribute 400 grams or more of a mixture or substance containing a detectable amount of Fentanyl, Aiding and Abetting, contrary to, 21 U.S.C. §§ 841 (a)(1), (b)(1)(A)(i) and 18 U.S.C. § 2.

2. The undersigned counsel was appointed to represent Whitman-Crutcher on January 15, 2021. (Counsel was also appointed to represent the defendant in supervised release violation proceedings in Case no. 20-cr-20494-GCS arising from drug convictions that are substantially the same as the crimes charged in this case.)

3. Counsel has since had extensive conferences and various correspondence exchanges with the defendant.

4. On October 19, 2021, Attorney Stefanie Lambert sent counsel an email advising that she had been retained to represent Whitman-Crutcher in the instant case. Ms. Lambert asked if she had permission to sign counsel's name on a stipulation for substitution of counsel. Rather than authorizing Ms. Lambert to sign her name, counsel replied that she would promptly sign and return the stipulation on its receipt.

5. Although Mr. Whitman-Crutcher had expressed dissatisfaction from time to time with his pretrial detention, sentencing guideline range and bleak future,

counsel was not aware that he was also dissatisfied with her professionalism or handling of his case.

6. After a week had passed without receiving the stipulation, counsel sent Ms. Lambert an email on October 26, 2021 to inquire regarding the substitution of counsel. Ms. Lambert replied on October 27, 2021, “Yes I have prepared the stip and will file today.”

7. However to date, counsel has yet to receive Ms. Lambert’s stipulation for substitution of counsel.

8. Further, a contemporaneous review of the docket entries in this case does not reflect that Ms. Lambert has filed a stipulation or motion for substitution of counsel.

9. It has therefore become manifestly clear that there has been a complete breakdown in the attorney-client relationship. This irreparable breakdown in the attorney-client relationship prevents counsel from providing the representation to which defendant is constitutionally entitled.

10. Defendant deserves to have counsel with whom he can work productively toward common goals. Neither defendant nor counsel should be trapped in a relationship in which both inevitably will be frustrated, distrustful and unable to

work together. There has been a breakdown in this attorney-client relationship such that counsel cannot, in fairness, continue the representation.

11. Good cause for withdrawal exists, and leave of court to withdraw should therefore be granted.

WHEREFORE, Linda D. Ashford respectfully requests that this Court grant leave to withdraw as counsel for defendant Whitman-Crutcher.

It is further requested that this Honorable Court appoint successor counsel forthwith, if Mr. Whitman-Crutcher so requests.

Respectfully submitted,

Linda D. Ashford, P.C.

s/Linda D. Ashford

by: Linda D. Ashford (P 29303)

Attorney for Defendant

615 Griswold Street, Suite 700

Detroit, MI 48226

Phone: (313) 525-0327

E-mail: ldashford@comcast.net

Dated: November 9, 2021

**UNITED STATES DISTRICT COURT
IN THE EASTERN DISTRICT OF MICHIGAN
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UNITED STATES OF AMERICA,
Plaintiff,

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JERELL L. WHITMAN-CRUTCHER, II
Defendant.

Hon. Denise Page Hood

_____/

**BRIEF IN SUPPORT OF MOTION TO
WITHDRAW AS COUNSEL**

**This Court Should Permit Withdrawal as Counsel Where There Has
Been an Irreparable Breakdown in the Attorney-Client
Relationship.**

An attorney representing a client may withdraw from the action either with the consent of the client, or by leave of the court, for good cause. *In Re Withdrawal of Attorney*, 234 Mich App 421; 594 NW2d 514, 518 (1999); Michigan Rule of Professional Conduct 1.16 (b)(6). *See also, Rodriguez Benitez v. United States*, 521 F.3d 625 (6th Cir. 2008). The attached Motion shows good cause.

Withdrawal should be granted.

Respectfully submitted,

Linda D. Ashford, P.C.

s/Linda D. Ashford

by: Linda D. Ashford (P 29303)

615 Griswold Street, Suite 700

Detroit, MI 48226

Phone: (313) 525-0327

E-mail: ldashford@comcast.net

Dated: November 9, 2021

CERTIFICATE OF SERVICE

I hereby certify that on November 9, 2021, I electronically filed the foregoing paper with the Clerk of the Court using the ECF system which will send notification of such filing to the attorneys of record and Judge Denise Page Hood.

I further certify that on November 9, 2021: I mailed the foregoing paper to Jerell Whitman-Crutcher at the following address, Livingston County Jail, 150 S. Highlander Way, Howell, MI 48843 and emailed the foregoing paper to Stefanie Lambert at the following address: attorneystefanielambert@gmail.com

s/Linda D. Ashford

Linda D. Ashford (P 29303)

615 Griswold Street, Suite 700

Detroit, MI 48226

Phone: (313) 525-0327

E-mail: ldashford@comcast.net